SAN ANTONIO WATER SYSTEM
Interdepartment Correspondence Sheet

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LAND DEVELOPMENT SERVICES DIVISION

To: Zoning Commission Members

From: Scott R. Halty, Director, Resource Protection & Compliance Department, San Antonio Water System

Copies To: Andrew Wiatrek, Manager, Edwards Aquifer and Watershed Protection Division, Michael Barr, Supervisor, Aquifer Protection and Evaluation Section, Michael A. Escalante, Environmental Protection Specialist III

Subject: Zoning Case Z2018-900015 (Just Pots)

Date: December 4, 2018

SUMMARY

A request for a change in zoning has been made for an approximate 3.347-acre tract located on the city's north side. A change in zoning from "**C-2 ERZD**" to "**C-2 CD S ERZD**" is being requested by the applicant, John W. Bellinger, and represented by Daniel Ortiz, Brown & Ortiz, P.C. The change in zoning has been requested to allow commercial retail for outdoor sales. The property is currently designated as a Category 2.

Based on the site evaluation of the property, and the information submitted by the applicant, SAWS staff recommends **approval** of the proposed land use. Should the City Council rezone the property that is the subject of this report, the San Antonio Water System recommends that any development on that property after the zoning classification has been changed should be restricted as stated in the environmental recommendations section of this report.

LOCATION

The subject property is located in City Council District 10, at 17115 Redland Road, approximately 629 feet north of Jones Maltsberger Road and the Redland Road intersection. The property lies within the Edwards Aquifer Recharge Zone (Figures 1 and 2).

SITE EVALUATION

1. Development Description:

   The proposed change is from "C-2 ERZD" to "C-2 CD S ERZD" and will allow for commercial retail for outdoor sales on 3.347-acres. Currently, the property is undeveloped.

2. Surrounding Land Uses:

   Redland Road borders to the north and east with undeveloped property located beyond. West of the subject site is undeveloped commercial property. Redland Oaks Community Church lies south of the subject property.

3. Water Pollution Abatement Plan:

   As of the date of this report, a WPAP has not been submitted to the Texas Commission on Environmental Quality (TCEQ). A WPAP will be required to be submitted to and approved by the TCEQ prior to commencement of construction.

4. Geologic Conditions:

   The Aquifer Protection and Evaluation Section of the San Antonio Water System conducted a site evaluation on November 2, 2018, of the referenced property to assess the geologic conditions and evaluate any environmental concerns present at the site. SAWS Environmental Geologist, Mr. Bruce Keels, P.G., was present during the site evaluation.

   The subject site was observed to be a vacant undeveloped lot, approximately 3.347-acres in area. The property is cleared of vegetation except for a few stands of live oaks. Stormwater occurring on the subject site would drain to the south and west into Mud Creek.

   Using U.S. Geological Survey Water-Resources Investigations Report 95-4030 it was determined that the subject site is underlain by the Leached and Collapsed Member of the Person Formation of the Edwards Aquifer.

   The Leached and Collapsed Member of the Person Formation is characterized by the presence of crystalline limestone, grainstone, and mudstone, with chert nodules and breccia conglomerations. The full section thickness of this member is approximately 70 to 90 feet thick.

   No sensitive geologic features were identified within the subject site.

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REVIEW DIVISION

ENVIRONMENTAL CONCERNS

The environmental concerns associated with this development being constructed on the Edwards Aquifer Recharge Zone are:

General Concerns

1. The improper use of pesticides, herbicides, or fertilizers needed for landscape maintenance that may be carried off in the first flush of stormwater run-off.

2. The build-up of hydrocarbons and other pollutants on streets, parking lots and other paved areas that are then carried off in the first flush of stormwater run-off.

ENVIRONMENTAL RECOMMENDATIONS

The following recommendations address the environmental concerns raised by the construction of this development on the Edwards Aquifer Recharge Zone:

Site Specific Recommendations

1. The impervious cover for the outdoor storage area will not exceed 35% and the sales office building and parking area shall not exceed 30%. The overall 3.347-acre site shall not exceed 65% impervious cover.

2. The manufacturing, painting, or glazing of stored pots shall not be allowed on site.

3. No outside storage of any chemicals shall be allowed on site.

4. The land uses within the project site shall be in conformance with the table of permitted uses at the time the re-zoning is approved. Should a proposed use be listed as requiring City Council approval, the owner/operator shall apply for re-zoning for that particular use at the project site. If the land use is listed as special use, a special permit must be obtained for that use. If the land use is listed as not allowed, that land use will not be permitted on the project site.

5. The owner of all water pollution abatement structures shall ensure these structures are properly maintained and kept free of trash and debris. A signed water quality maintenance plan must be submitted to the Aquifer Protection & Evaluation Section of SAWS. If at any time the ownership of the property changes, the seller must disclose to the buyer all the requirements of the water quality maintenance plan. The new owner must submit a signed water quality maintenance plan to the Aquifer Protection & Evaluation Section of SAWS.

6. Landscaped areas shall be sensitive to minimizing water needs, i.e., use of native plants. Each purchaser of an individual lot or tenant within this development shall be informed by the seller or lessor in writing about Best Management Practices (BMP) for pesticide and fertilizer application. Preventing Groundwater Pollution, A Practical Guide to Pest Control, available form the Edwards Aquifer Authority (210) 222-2204, or equivalent information produced by the U.S. Natural Resource Conservation Service, Texas Department of Agriculture, U.S. Department of Agriculture, shall be used.

7. The applicant shall notify the Construction Monitoring of SAWS at (210) 233-3565 no later than 48 hours prior to the commencement of construction at the site. If any significant geologic features such as, but not limited to, solution openings, caves, sinkholes, or wells are found during the excavation, construction, or blasting, the developer shall notify the Texas Commission on Environmental Quality and the Aquifer Protection & Evaluation Section of SAWS at (210) 233-3522.

General Recommendations

1. Prior to the release of any building permits the owner/operator of any Category 2 property shall submit an Aquifer Protection Plan to the Aquifer Protection & Evaluation Section of the San Antonio Water System.

2. The City of San Antonio shall inspect all future construction of the sewage collection system to include service laterals and sewer mains for proper construction according to State and City Regulations and Code.

3. Prior to the release of any building permits, the following shall be submitted to the SAWS Aquifer Protection & Evaluation Section of the Resource Protection Division:

   A. A copy of the Water Pollution Abatement Plan shall be submitted for the development within the area being considered for re-zoning,

   B. A set of site specific plans which must have a signed Engineers Seal from the State of Texas,

   C. A WPAP approval letter from the Texas Commission on Environmental Quality,

   D. A copy of the approved Water Pollution Abatement Plan.

4. The Resource Protection & Compliance Division staff shall have the authority to inspect the site to ensure that the approved recommendations are being strictly adhered to during and after construction of the project.

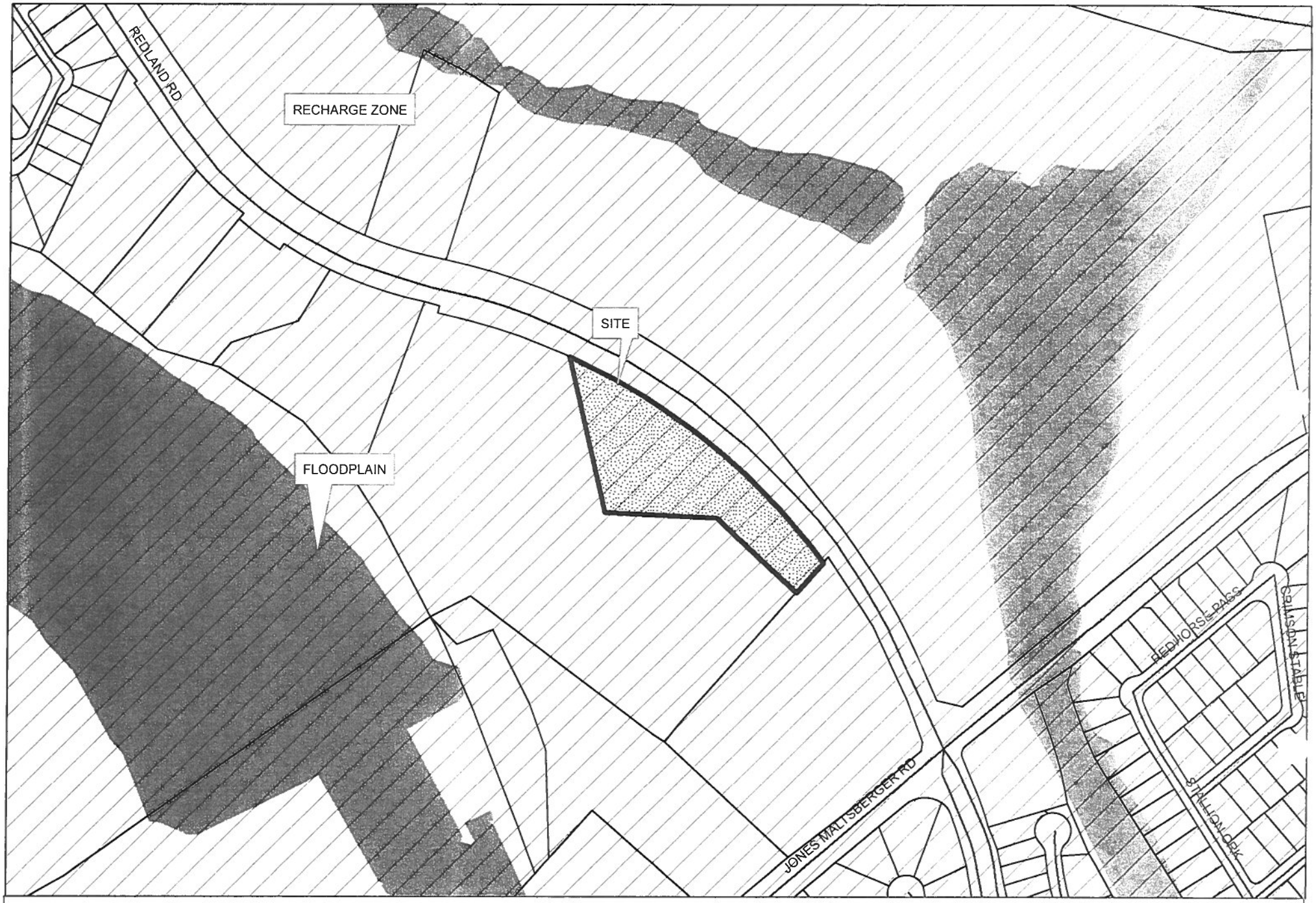
Based on the site evaluation of the property, and the information submitted by the applicant, staff recommends **approval** of the proposed land use. Additionally, SAWS staff recommends that the applicant, or any future owner, comply with the above recommendations in regards to the development of the subject property.

APPROVED:

Andrew Wiatrek
Manager
Edwards Aquifer and Watershed Protection Division

Scott R. Halty
Director
Resource Protection & Compliance Department

MJB:MAE



ZONING FILE: JUST POTS (FIGURE 2)
ZONING CASE: Z2018-900015
MAP PAGE: 152, A6

1 in = 293 ft

0 60 120 240 360 480 Feet

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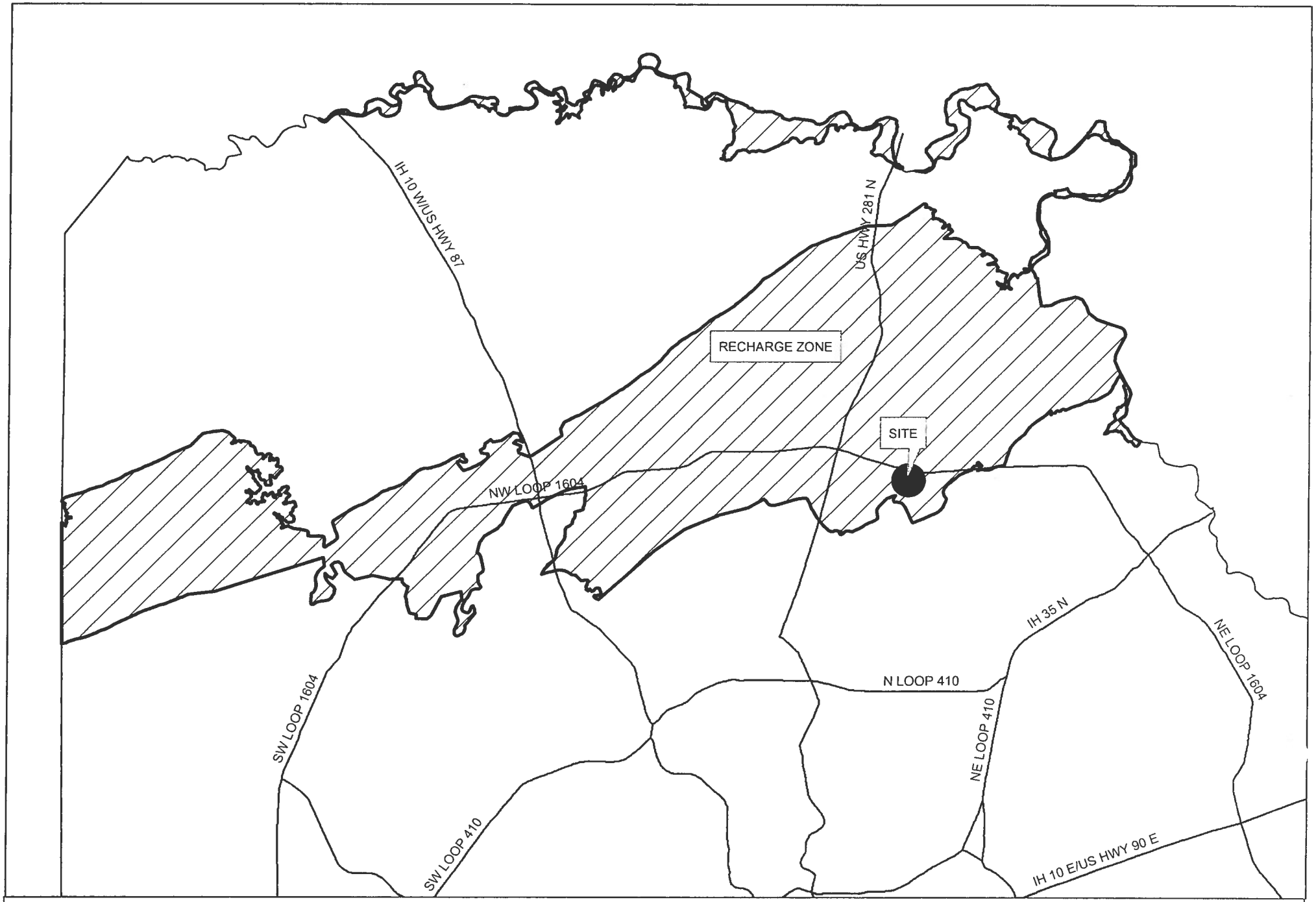
Map Prepared by SAWS, Resource Protection & Compliance Dept. MAE 11/2/2018



ZONING FILE: JUST POTS (FIGURE 1)
ZONING CASE: Z2018-900015
MAP PAGE: 152, A6

1 in = 16,667 ft

0 3,500 7,000 14,000 21,000 28,000 Feet

N

Map Prepared by SAWS, Resource Protection & Compliance Dept. MAE 11/2/2018